

The status of the claims after this paper is as follows:

Amended:	None
Cancelled:	None
New:	None
Pending:	1-17, 19-23, 25-48 and 50-53
Allowed:	None

REMARKS:

The Office has questioned Applicant's claim of priority as a continuation of U.S. Patent Application No. 09/619,899. Applicant submits that the incorporated earlier application in conjunction with the present application contains all of the material of the earlier application and does not contain new subject matter. Certain material was deleted from the present application to make the application more readable with regard to the present claims; however, should the examiner prefer, the earlier application, parent application No. 09/619,899 can be substituted for the present application.

The Examiner avers that the phrase "effective dose of a sexual dysfunctional active agent" does not appear to indicate what would constitute a sexual dysfunctional active agent or effective dose thereof.

Applicant wishes to provide additional support for its position that the term "effective dose of sexual dysfunctional active agent" was known in the field by those of ordinary skill prior to the filing of the priority document. Applicant submits an abstract of a New York Times article dated July 26, 1998 in which it indicates that Icos is developing a pill for impotence that would have fewer side effects than Viagra. Viagra is the brand name for sildenafil.

In addition, Applicant wishes to provide a copy of a press release from Frost and Sullivan dated January 18, 1999 in which its study of the U.S. Urological Therapeutic drugs and device market is discussed. Please note that the press release discusses the erectile dysfunction drug and device markets. This press release indicates that those skilled in the art were aware that a

number of companies were already working in the area and that a number of drugs were being developed.

The Examiner has rejected claims 7 and 33 under 35 U.S.C. § 112 2d because the phrase “a hydration rate in 24 hours of 5-20% at 75% humidity at room temperature” renders the claim indefinite as it is uncertain what the percent relates to. Applicants respectfully submit that one of ordinary skill in the art would understand that the increase in the hydration rate of 5-20% signifies the increase in the weight of the hydrogel. In paragraph 32 of the present Application, the hydration rate is defined “here and in the claims as the speed of absorbing water at 25°C and 75° relative humidity in 24 hours. In Table 1 on page 17, following paragraph 66, the composition of the coating solution in weight percent is set forth for several different hydrocolloids. Note that in the last entry, water, is given in weight percent; thus, one of ordinary skill looking at the definition and looking at Table 1 would conclude that the hydration rate would be in the term of the weight percent of the original film. Since the components of the film are given in weight percent, one would expect that the increase in the amount of water would also be in weight percent based on the original weight of the hydrocolloids. The Examiner has rejected claims 28 and 50 under 35 U.S.C. § 112 2d averring that the phrase “an additional active agent”. In paragraph 36 of the present Application, active agent is defined to include sexual dysfunctional agents and a listing of other agents exemplifying the meaning. Thus, Applicant respectfully submits that the term “active agent” has been defined and one of ordinary skill in the art would recognize that such agent can be a sexual dysfunctional agent or a different active agent, and would be informed as to the meaning of “active agent”.

Applicant notes that the Examiner has questioned the source for the measurement based on the ASTM standards 882 and 1938 and the texture analyzes model TA.XTii. Examiner has requested additional materials. Applicants include herewith a copy of the manual for the texture analyzer (Exhibit A) as well as a copy of the relevant ASTM standards (Exhibit B and C, respectively).

DOCKET NO. 366325-524
SERIAL NO. 10/091,062

In view of the above discussion and remarks, Applicants respectfully submit that the claims are in condition for allowance. Reconsideration and allowance of the claims is hereby respectfully solicited.

Respectfully submitted,



Allen Bloom
Registration No. 29,135



A Pennsylvania Limited Liability Partnership
Princeton Pike Corporate Center
PO Box 5218
Princeton, New Jersey 08543-5218
Allen Bloom (609) 620-3214
Fax: (609) 620-3259